

**SPECIAL CITY COUNCIL MEETING  
AUGUST 27, 2002**

**Date & Time**            On the 27<sup>th</sup> day of August, A.D., 2002, the City Council of the City of Fort Worth, Texas, met in special session, at 7:05 p.m., with the following members and officers present:

**Attendance**            Mayor Kenneth Barr; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett and City Secretary Gloria Pearson. Mayor Pro tempore Ralph McCloud was absent. With more than a quorum present, the following business was transacted:

Attention of the City Council was called to a call of the Mayor for a special meeting of the City Council, as follows:

**NOTICE OF SPECIAL MEETING**

Notice is hereby given that the City Council of the City of Fort Worth will hold a special meeting at the R.D. Evans Community Center, 3242 Lackland Road, Fort Worth, Texas, at 7:00 p.m. on Tuesday, August 27, 2002, to consider the following matters:

**I. Call To Order**

**II. Report of the City Manager**

Second Public Hearing for Proposed Limited Purpose Annexation of 214.75 Acres in the J. Burleson Survey, Abstract No. 78, and the W. Houston Survey, Abstract No. 719, situated about 11 ½ miles south, 77 degrees west from the courthouse in Tarrant County, Texas (Linkwood Estates) (Annexation Case No. AX-02-0005).

Second Public Hearing for Proposed Limited Purpose Annexation of 198.25 Acres in the S. H. Pettit Survey, Abstract No. 1234, situated about 11 ½ miles south, 77 degrees west from the courthouse in Tarrant County, Texas (El Rancho Estates) (Annexation Case No. AX-02-0006).

In accordance with Chapter III, Section 5 of the Fort Worth City Charter, I hereby call a special meeting of the Fort Worth City Council to be held at the time and place stated above. The object of the meeting is to conduct the second public hearings to consider the limited purpose annexation of Linkwood Estates (Annexation Case No. AX-02-0005) and El Rancho Estates (Annexation Case No. AX-02-0006) in accordance with Chapter 43 of the Texas Local Government Code.

**Signed this 13<sup>th</sup> day of August, 2002.**

**/s/ Kenneth Barr**

**Mayor**

**Public Hearing  
Linkwood  
Estates  
Annexation  
Case No. AX-02-  
0005**

**Ms. Cathy Davidson, representing the Development Department, appeared before Council, presented a staff report and advised Council that staff should be directed to institute annexation proceedings at the meeting of September 17, 2002 and to consider adoption of an annexation ordinance on October 1, 2002.**

**Mr. Bob Riley, Development Department Director, appeared before Council and provided a briefing on applicable ordinances and the Regulatory Plan relative to annexation. He stated that the area was also subject to the subdivision ordinance and the Sheriff would continue to be contacted through the 9-1-1 system. He added that sexually oriented businesses would be subject to the zoning ordinance, that there would be no enforcement by Code Compliance for high grass, livestock, fowl, or junk vehicles, and that there would be no animal control provided by the City.**

**Mr. Dale Fisseler, Water Department Director, appeared before Council and provided a briefing on AquaSource, the current water provider for the Linkwood Estates area. He explained the procedures required to petition the Texas Natural Resource Conservation Commission for a hearing to have the City of Fort Worth become the provider for water to the annexed area.**

**Mrs. Marcella Olson, Deputy City Attorney, appeared before Council and explained the legal application of House Bill 89 as it related to the proposed annexation.**

**Jack Jefferson**

**Mr. Jack Jefferson, 3924 Linkcrest Drive, Aledo, Texas, appeared before Council in opposition of the proposed annexation. He commended Council Members Lane, Silcox, and Picht for their stance against this involuntary annexation and added that Fort Worth was establishing an adversarial relationship with annexed citizens. He urged the Council to consider the impact of annexation on the citizens.**

**Darlia Hobbs**

Ms. Darlia Hobbs, 8113 Anchorage Place, appeared before Council in opposition of the proposed annexation. She stated that Council had not heard any of the previous comments made by citizens opposed to annexation and that Fort Worth did not need to dilute City services any further. She added that the City should only consider voluntary annexations, not involuntary ones which were unfair, unjust, and unconstitutional.

City Attorney Yett advised Council that Council Member Wentworth would be absent at the September 17, 2002 Council Meeting and requested that Council institute annexation proceedings on September 17, 2002 but defer action on the ordinance until October 1, 2002.

Council Member Davis made a motion, seconded by Council Member Haskin, that the second public hearing for Annexation Case No. AX-02-0005: Proposed Limited Purpose Annexation of 214.75 Acres in the J. Burleson Survey, Abstract No. 78, and the W. Houston Survey, Abstract No. 719, situated about 11 ½ miles south, 77 degrees west from the courthouse in Tarrant County, Texas (Linkwood Estates), be closed and that staff be directed to institute annexation proceedings for presentation to Council September 17, 2002, but defer action on the ordinance until October 1, 2002. The motion carried by the following vote:

**AYES:** Mayor Barr; Council Members Lane, Haskin, Moss, Picht, Wentworth, and Davis

**NOES:** Council Member Silcox

**ABSENT:** Mayor Pro tempore McCloud

**Public Hearing  
El Rancho  
Estates  
Annexation  
Case No. AX-02-  
0006**

Ms. Cathy Davidson, representing the Development Department, appeared before Council, presented a staff report and advised Council that staff should be directed to institute annexation proceedings at the meeting of September 17, 2002 and to consider adoption of an annexation ordinance on October 1, 2002.

Mr. Bob Riley, Development Department Director, appeared before Council and informed them that the Regulatory Plan was identical for this case. However, he stated that water service for the area was provided through individual wells.

City Attorney Yett advised Council that Council Member Wentworth would be absent at the September 17, 2002 Council Meeting and requested that Council institute annexation proceedings on September 17, 2002 but defer action on the ordinance until October 1, 2002.

**David Leonard**

Mr. David Leonard, 504 Circle T Drive, Aledo, Texas, appeared before Council in opposition of the proposed annexation. He compared the value of homes in El Rancho Estates with the tax revenue that would be gained by the City as a result of annexation and stated that it should make economic sense to annex this area. He addressed issues relative to nullification of deed restrictions, increased insurance costs due to no fire hydrants, cost of city services, restrictions on livestock owners, and excavation costs. He added that annexation would be an economic burden on retired citizens in the area because of the increase in taxes.

Mayor Barr informed Mr. Leonard that deed restrictions that were in place prior to annexation remain attached to the land and would remain in effect. He added that insurance costs would go down under the State rating system and that they would be able to keep their livestock. He asked Mr. Leonard to speak with Interim Fire Chief Jim Tidwell relative to fire hydrants.

Mr. Riley informed the Council that State law provides that the property could be used for the same purpose as it was being used for prior to being annexed. He added that the City zoning classifications could be created to meet the needs of citizens.

**Randall McCarty**

Mr. Randall McCarty, 360 Horseshoe Trail West, Aledo, Texas, appeared before Council in opposition of the proposed annexation. He provided a copy of his own cost benefit analysis for the area that disagreed with the City's analysis.

Council Member Wentworth requested that the staff meet with Mr. McCarty and provide a report to Council on the comparison and reconciliation of both cost benefit analysis.

**Melton Luttrell**

Mr. Melton Luttrell, 435 Horseshoe Trail West, Aledo, Texas, appeared before Council in opposition of the proposed annexation. He added that the City could not provide him anything that he does not already have.

- John Austin**            Mr. John Austin, 512 Aviation Drive, appeared before Council in opposition of the proposed annexation. He expressed concern with affected citizens not having free speech and ability not to vote to be annexed. He added the Far West area was the oldest area and that residents were on fixed income and therefore unable to move.
- Gary Havener**        Mr. Gary Havener, 4008 Lost Creek Boulevard, Aledo, Texas, appeared before Council in opposition of the proposed annexation. He stated that the difference in the cost analysis of Mr. McCarty's and the City's was that Mr. McCarty's analysis pertained exclusively to El Rancho Estates. He added that this annexation was not a benefit from any perspective.
- Greg Davis**            Mr. Greg Davis, 565 Diamond Bar Trail, Aledo, Texas, appeared before Council in opposition of the proposed annexation. He stated that annexation was not an economic positive for the City, as the return did not make economic sense.
- John Benoist**        Mr. John Benoist, 460 Horseshoe Trail West, Aledo, Texas, appeared before Council in opposition of the proposed annexation. He stated that residents enjoy the unique nature of the area and the size of the lots. He added that the annexation report indicated that the area had a lot of undeveloped land; however, the undeveloped land was owned and used by the residents. He asked Council to reassess if this area needed to be a part of Fort Worth.
- Darlia Hobbs**        Ms. Darlia Hobbs, 8113 Anchorage Place, appeared before Council in opposition of the proposed annexation of this area. She stated that there was an absence of fire hydrants in El Rancho Estates and the inability of fire department to shuttle water in sufficient quantities to extinguish a fire in the area.

Council Member Wentworth made a motion, seconded by Council Member Davis, that the second public hearing for Annexation Case No. AX-02-0006: Proposed Limited Purpose Annexation of 198.25 Acres in the S. H. Pettit Survey, Abstract No. 1234, situated about 11 ½ miles south, 77 degrees west from the courthouse in Tarrant County, Texas (El Rancho Estates), be closed and that staff be directed to institute annexation proceedings for presentation to Council September 17, 2002, but defer action on the ordinance until October 1, 2002. The motion carried by the following vote:

**AYES:** Mayor Barr; Council Members Lane, Haskin, Moss, Picht, Wentworth, and Davis

**NOES:** Council Member Silcox

**ABSENT:** Mayor Pro tempore McCloud

Council Member Davis stated that she would like to review the deed restrictions for the El Rancho Estates to see what they provide for the area. She added that the City's zoning authority protected citizens from incompatible land uses.

There being no further business, the meeting was adjourned at 8:40 p.m.